

## KAY ADEL SNEDEKER

JULY 20, 1951.—Committed to the Committee of the Whole House and ordered to be printed

Mr. CHELF, from the Committee on the Judiciary, submitted the following

### REPORT

[To accompany H. R. 2508]

The Committee on the Judiciary, to whom was referred the bill (H. R. 2508) for the relief of Kay Adel Snedeker, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

#### PURPOSE OF THE BILL

The purpose of the bill is to facilitate the admission into the United States of a half-Japanese child who is being adopted by Mr. and Mrs. Charles W. Snedeker, citizens of the United States.

#### GENERAL INFORMATION

The pertinent facts in this case are contained in a letter dated June 4, 1951, from the Deputy Attorney General to the chairman of the Committee on the Judiciary, which letter reads as follows:

JUNE 4, 1951.

HON. EMANUEL CELLER,

*Chairman, Committee on the Judiciary,  
House of Representatives, Washington, D. C.*

MY DEAR MR. CHAIRMAN: This is in response to your request for the views of the Department of Justice relative to the bill (H. R. 2508) for the relief of Kay Adel Snedeker, an alien.

The bill would provide that, solely for the purposes of section 4 (a) and section 9 of the Immigration Act of 1924, and notwithstanding any provisions excluding from admission to the United States persons or races ineligible to citizenship, Kay Adel Snedeker, a minor Japanese child, shall be considered the alien natural-born child of Charles W. Snedeker and his wife, Amelia Mary Snedeker, citizens of the United States.

The files of the Immigration and Naturalization Service of this Department disclose that the alien child was born in Japan on December 28, 1946, of a Japanese mother and an American father, whose name is not known. She is presently

residing in Japan with Mr. and Mrs. Charles W. Snedeker, who, it is claimed, desire to adopt her and bring her to this country as their daughter. Mr. Snedeker's mother, of Roscoe, Ohio, stated that her son and daughter-in-law first saw the child in an orphanage which was operated by the Eighth Army in Japan and was discontinued about a year ago. Mrs. Snedeker also stated that her son was born on March 12, 1911, in Roscoe and that he was a captain in the United States Army during World War II. According to Mrs. Ruth Laird, director of the school of nursing at the University of Illinois, Mrs. Charles W. Snedeker was born on September 14, 1906, in Austria, and is a naturalized United States citizen. The records indicate that she was graduated from the Martin's Ferry General Hospital in Ohio as a nurse in 1929, and served for 11 years at the Cook County Hospital in Chicago, Ill. Mr. Snedeker is employed in a civilian capacity with the army of occupation in Japan. It appears that the Snedekers have no children of their own, and that adoption proceedings on behalf of the alien are pending in Chicago.

The alien child, being as much as half-Japanese, is ineligible to citizenship under section 303 of the Nationality Act of 1940. Because of this ineligibility she is inadmissible to the United States under section 13 (c) of the Immigration Act of 1924. In the absence of special or general legislation she may not be permitted to enter the United States for permanent residence.

Whether under the circumstances this bill should be enacted is a question of legislative policy concerning which this Department prefers not to make any recommendation.

Yours sincerely,

PEYTON FORD,  
*Deputy Attorney General.*

Mr. McGregor, the author of this bill, appeared before a subcommittee of the Committee on the Judiciary and testified as follows:

This is a case of a 4-year-old girl, born of a Japanese mother and an American sailor father, being brought to the United States for adoption purposes by a very fine American couple presently stationed in Japan doing civilian work.

The persons desiring to adopt this child are Mr. and Mrs. Charles W. Snedeker. Mr. Snedeker's mother is a resident of Roscoe, Ohio, which is located in my home county. She is a highly respected citizen.

The little girl's name is Kay Adel. She has been registered in accordance with Japanese law as Hatsuko Kato.

The child's Japanese mother has presented Mr. and Mrs. Snedeker with a statement which is now in the possession of the committee to the effect that she cannot earn sufficient wages to support her. Her family refuses to help her care for the child and she, therefore, agrees to have Mr. and Mrs. Snedeker adopt her little girl. The Snedekers have cared for this child since she was a few months old.

Because the Japanese mother could not support her, she appealed to a United States Army chaplain and arrangements were made for the child to be placed in an orphanage.

Mrs. Snedeker visited the orphanage and assisted with the volunteer work there. When the baby was admitted she was a victim of malnutrition and infectious sores, but was nursed back to health. One day when there was no heat at the orphanage, and the baby was on the verge of pneumonia, Mrs. Snedeker persuaded the authorities to permit her to take the baby home and care for her. Mrs. Snedeker is a registered nurse. This, of course, gave the Snedekers the opportunity to become attached to the infant and they have had the little girl in their home ever since.

Mr. Snedeker is a certified public accountant. He is serving in a civilian capacity with the Far Eastern Command. He saw service during the Second World War and is presently a Reserve officer. His salary is approximately \$7,000 per year. He owns a home in Ohio, has a checking account with a balance of \$3,720, has bonds valued at \$3,200, insurance policies with accrued values of \$2,800, and holds life-insurance policies totaling approximately \$26,000. The child, therefore, would have adequate financial support.

Mr. and Mrs. Snedeker have been married 18 years and they are unable to have children of their own. They expect to be transferred to the United States in the very near future and for that reason it is important that this bill be passed. I am sure you can understand their hearts would be broken if they had to leave this little girl, whom they have supported the past 4 years in Japan.

An identical bill is pending in the Senate and it is my hope the committee will see its way clear to favorably report this bill without undue delay.

In addition, the committee files contain the following communication from the Office of the Commanding General, Japan Logistical Command:

HEADQUARTERS JAPAN LOGISTICAL COMMAND,  
OFFICE OF THE COMMANDING GENERAL,  
APO 343, May 23, 1951.

Hon. EMANUEL CELLER,  
*Chairman, House Judiciary Committee,  
House of Representatives.*

DEAR MR. CELLER: I am writing you on behalf of one of my employees, Mr. Charles W. Snedeker, who has requested various Members of the Congress of the United States to assist him in obtaining clearance to the United States for a little girl he and his wife have adopted in Japan. The child was borne out of wedlock by a Japanese woman, the father being an American sailor who returned to the States several years ago.

Mr. Snedeker had initiated proceedings approximately a year ago and has been corresponding with Senator Milton R. Young of Illinois and Congressman J. Harry McGregor of Ohio who have introduced a bill in both Houses on behalf of his little girl, Kay Adel. He informs me that they have exerted every effort to obtain action on the respective bills. Present action on the bills is delayed due to the necessity of obtaining clearance from Immigration and Naturalization officials in the Department of Justice.

Due to the necessity of effecting a reduction in personnel in my organization Mr. Snedeker's employment contract is being terminated and he will be returned to the States. He has informed me of this pending action for clearance for his daughter and that both he and Mrs. Snedeker have become so attached to the child that they could not bear to leave Japan without her. However I have little choice in the matter and cannot assure an indefinite stay for Mr. Snedeker.

Mr. Snedeker has been a loyal and conscientious employee during his 4 years' employment. Both he and Mrs. Snedeker are devoted parents and have provided a wonderful home for this unfortunate child. The child had been placed in a Japanese orphanage and had been living under the most deplorable conditions due to the shortage of food, clothing, and medical facilities. This country, as you know, has been struggling to recover from the ravages of war and can render very little assistance to such institutions. Mr. and Mrs. Snedeker have been unable to have a child of their own and in their longing for children had visited several orphanages and had assisted them, to the extent of their means, in providing necessities for the children. This child was found in the winter months in an unheated building, suffering from exposure, emaciated and ill to the point of contracting pneumonia. Mrs. Snedeker, being a nurse prevailed upon the orphanage officials to permit her to take the baby to her own home where she could give her the proper attention and nourishment. The present parents became so attached to the baby, that they decided to adopt it and obtained the approval of the mother and the orphanage officials.

Mr. Snedeker served as an officer in the Army from April 1941, to August 1947, and has been employed in this organization as an auditor since November 1947. Both he and his wife have been gainfully employed for many years, are highly regarded in their own and in their respective families' communities and are highly qualified to raise this child as a citizen of the United States.

My own assistance in this matter can of necessity be only limited and I can only hope that you may be able to assist in getting prompt action from personnel who have it in their power to approve or disapprove his request and avoid unnecessary anxiety and sorrow and the possible loss of one very dear to these people.

Sincerely yours,

CHARLES F. IVINS,  
*Colonel, Infantry,  
Japan Central Exchange Officer.*

Upon consideration of all the facts in this case, the committee is of the opinion that H. R. 2508 should be enacted and it accordingly recommends that the bill do pass.

